

CRM-M No.18666 of 2019 (O&M)
Date of decision : 15.05.2019

..... Petitioner

Versus

..... Respondent

Ms.Amarjit Kaur Khurana, DAG, Punjab.

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.54 dated 17.03.2019 registered under Sections 420/120-B IPC at Police Station Civil Lines, Batala, District Gurdaspur.

As per the allegations the complainants had alleged that the co-accused had demanded money from them for getting them work permit in Malaysia and in lieu of that they were to pay Rs.1,50,000/- each. They gave the money but when they went to Malaysia, they did not appoint them on the work of packing but deputed them in the factory on the work of heavy machinery and harassed them a lot and in a great deal of difficulty they come out after 1 ½ months.

Learned counsel for the petitioner has argued that the complainants never named the petitioner nor did they alleged that the petitioner ever met them and the petitioner is only being sought to be implicated on the ground that one of the co-accused had stated that the money had infact gone to them.

Learned State counsel on instructions from ASI Narjit Singh has argued that during the investigation the name of the petitioner and her husband had surfaced.

In my opinion, it is not a case where custodial interrogation of the petitioner should be permitted.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, she shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 27.05.2019 and on any other date as and when her presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

15.05.2019
Pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No